

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Apr 25, 2018**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Severiano Luna Velasquez Case Number: 0980 1:14CR02085-SAB-1

Address of Offender: Yakima, Washington 98901

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge
Name of Supervising Judicial Officer: The Honorable Stanley A Bastian, U.S. District Judge

Date of Original Sentence: February 4, 2016

Original Offense: Distribution of Heroin in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C)

Original Sentence: Prison - 18 months; Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: Ben Seal Date Supervision Commenced: February 21, 2017

Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: February 20, 2020

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1	<u>Mandatory Condition:</u> The defendant shall not commit another federal, state, or local crime.
---	---

Supporting Evidence: Mr. Velasquez' conditions were reviewed with him on February 22, 2017. He signed his conditions acknowledging an understating of his conditions which included the mandatory condition, as noted above.

Mr. Velasquez violated this mandatory condition on April 19, 2018, by allegedly committing a fourth degree assault, domestic violence, in violation of Revised Code of Washington (RCW) 9A.36.041.2.DV. According to the Union Gap Police Department incident report for case number 4394, the following occurred:

On April 19, 2018, Mr. Velasquez was arrested for committing the crime of fourth degree assault, domestic violence. According the victim and witness, Mr. Velasquez woke up, grabbed the victim by the neck, and started hitting her. The victim reported Mr. Velasquez also kicked her in her right rib area during the incident. The victim complained of pain in her hand and complained of pain in the right ribcage area. Officers observed redness and swelling below the victim's left eye.

Prob12C

Re: Velasquez, Severiano Luna

April 24, 2018

Page 2

- 2 **Special Condition # 15:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Velasquez' conditions were reviewed with him on February 22, 2017. He signed his conditions acknowledging an understating of his conditions which include special condition #15, as noted above.

This officer contacted Mr. Velasquez in the emergency room at Astria Regional Medical Center on April 19, 2018. While Mr. Velasquez was at the hospital, he provided a urinalysis test that tested positive for methamphetamine. Mr. Velasquez admitted to consuming some pills that a friend gave him the night before and stated the pills must have been methamphetamine.

- 3 **Special Condition # 16:** You shall abstain from alcohol and shall submit to testing(including urinalysis and Breathalyzer) as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Velasquez' conditions were reviewed with him on February 22, 2017. He signed his conditions acknowledging an understating of his conditions which include special condition #16, as noted above.

This officer contacted Mr. Velasquez in the emergency room at Astria Regional Medical Center on April 19, 2018. Mr. Velasquez admitted to consuming approximately six alcoholic beverages (beers), on April 18, 2018. Mr. Velasquez stated he was in Selah, Washington, with some friends while he was consuming alcohol.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 24, 2018

s/Phil Casey

Phil Casey

U.S. Probation Officer

Prob12C

Re: Velasquez, Severiano Luna

April 24, 2018

Page 3

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other

A handwritten signature in blue ink, reading "Stanley A. Sestran", is written over a horizontal line.

Signature of Judicial Officer

April 25, 2018

Date